

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
v.) No. 1:07CR48 CDP
)
JOHN FOWLER,)
)
 Defendant.)

ORDER

This matter is before the Court on defendant John Fowler's motion to suppress statements. The motions were referred to United States Magistrate Judge Frederick R. Buckles under 28 U.S.C. § 636(b). Judge Buckles held an evidentiary hearing on August 30, 2007, and thereafter filed his Report and Recommendation, which recommended that the motion to suppress be denied. Defendant filed timely objections to the Report and Recommendation.

I have conducted *de novo* review of the motion, including reviewing all documents filed and listening to the recording of the hearing. I conclude that Judge Buckles correctly analyzed the issues and that his findings of fact are correct. Defendant was lawfully in custody, and was advised of his Miranda rights before he made the statements. The statements were knowing and voluntary and were not the result of coercion.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#36] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant's motion to suppress statements [#22] is denied.

A handwritten signature in black ink, reading "Catherine D. Perry", is written over a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 1st day of November, 2007.